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July 16, 2021

VIA ECF

Hon. George B. Daniels
United States District Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1310
New York, NY 10007-1312

Re: *Sokolow et al. v. Palestine Liberation Organization, et al.*, No. 04-cv-397
(S.D.N.Y.) (GBD); Oral Argument Held May 19, 2021

Dear Judge Daniels:

On behalf of Defendants, we write to ask the Court to take judicial notice of their “Reply Brief on the PSJVTA” in *Fuld v. PLO*, No. 20-cv-3374 (JMF), filed July 16, 2021 (*Fuld* Dkt. # 50). *See Kramer v. Time Warner, Inc.*, 937 F.2d 767, 774 (2d Cir. 1991) (“courts routinely take judicial notice of documents filed in other courts, … not for the truth of the matters asserted in the other litigation, but rather to establish the fact of such litigation and related filings”); *Staehr v. Hartford Fin. Servs. Grp.*, 547 F.3d 406, 425-26 (2d Cir. 2008) (affirming judicial notice of “assertions … made in lawsuits and regulatory filings”).

Through its Order of June 15, 2021 (Dkt. #1034), the Court previously took judicial notice of Defendants’ Supplemental PSJVTA Brief in *Fuld*, and allowed Plaintiffs here either to “submit a five page letter response to Defendants’ *Fuld* Brief or … ask this Court to take judicial notice of Plaintiffs’ responsive brief filed in the *Fuld* Action.” Plaintiffs here opted to file a letter response on July 6, 2021 (Dkt. #1035), which substantively tracked the *Fuld* Plaintiffs’ PSJVTA brief filed the same day (*Fuld* Dkt. #46). Defendants respectfully submit that this Court should take judicial notice of Defendants’ PSJVTA Reply Brief in *Fuld* so that it has the benefit of the complete briefing cycle by the parties in *Fuld*.

Separately, Your Honor may wish to take judicial notice that the United States is evaluating whether to intervene in *Fuld*, and that Judge Furman has granted the United States until July 23, 2021, to do so. *See Fuld* Dkt. #49.

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Respectfully submitted,

Squire Patton Boggs (US) LLP



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